**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**

**WRIT PETITION NO.7551 of 2004**

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Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

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Mr.S.J. Rairkar, for the Petitioner

**CORAM : F.I. REBELLO & S.P. KUKDAY, JJ.**
**DATED : 7TH APRIL, 2005**
**P.C.**

. In the instant case the Industrial Tribunal has granted approval for the action of the respondent in dismissing the petitioner from service.

2. The petitioner by the present petition challenges this order of dismissal independently. That cannot be done. Once there is an order granting approval it is that order which must be challenged. Learned Counsel states that he has taken out an Application. That would be completely changing the cause of action. In the light of that petition dismissed. However, liberty to the petitioner if so advised to file independent petition challenging the order granting approval by the Industrial Tribunal on all grounds

including the grounds which are raised in the present petition or to take other steps in law which he will be entitled to.

. With the above observation petition stands disposed of. No order as to costs.

**(F.I. REBELLO, J.)**

**(S.P. KUKDAY, J.)**